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REMARKS

In the present Final Office Action, claims 15 and 25 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,741,057 (hereinafter Maschinot); claims 16-24 and 26-28 were objected to as being dependent upon a rejected base claim but were indicated to be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicants wish to express their appreciation to the Examiner for the indication of allowable subject matter. However, for the reasons further set forth below, Applicants submit that all of claims 15-28 are allowable as submitted.

In the event that the Examiner considers the following remarks non-persuasive, Applicants respectfully request that the Examiner withdraw the Final Rejection, as it is premature. Specifically, the Manual of Patent Examining Procedure (MPEP) §706.07(a) states that "[u]nder present practice, second or any subsequent actions on the merits shall be final, except where the Examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an Information Disclosure Statement filed during the period set forth in 37 C.F.R. 1.97(c) with the fees set forth in 37 C.F.R. 1.17(p)." More specifically, Applicants submit that the claims of the application were not amended in response to the first Office Action and while Maschinot was previously cited, it was not applied as a basis for a previous rejection and, thus, is a new ground of rejection.

With respect to the rejection of claims 15 and 25, Applicants note that the Office Action stated that "Maschinot also teaches a frame 30 for receiving and retaining the die-cutting blade, wherein the die cutting-blade is adjustable relative to the frame 30." However, Applicants submit that even if the Maschinot chuck jaws 30 are equated to a frame, the die cutting-blade is not adjustable relative to the chuck jaws 30. More specifically, the Maschinot chuck jaws 30 allow the die to be adjusted relative to the Maschinot lower plate 20. Applicants also note that the Office Action stated that "Maschinot also teaches a receiving apparatus 20 adjustably mounted to the punch plate 17, wherein the receiving apparatus 20 receives and retains the frame 30." However, Applicants further submit that while the Maschinot lower plate 20 is adjustably mounted to the Maschinot top plate 17, the Maschinot lower plate 20 does not

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receive and retain the chuck jaws 30. More specifically, as shown in Maschinot Figs. 2 and 3, the chuck jaws 30 are mounted to the lower plate 20 adjacent the four sides of the square aperture 21, which is centrally located in the lower plate 20.

While one could argue that the Maschinot lower plate 20 in combination with the Maschinot chuck jaws 30 are equivalent to a frame for receiving and retaining a die cutter blade, wherein the die cutter blade is adjustable relative to the frame, Maschinot would not then teach or suggest a receiving apparatus, adjustably mounted to the Maschinot top plate 17, that is capable of receiving and retaining the frame.

Applicants have added a new claim 29, which is similar to independent claim 15 and includes the additional feature "wherein the frame is received by the receiving apparatus in a direction that is perpendicular to the motion of the movable ram." No new matter has been added with new claim 29 (see Applicants' paragraph 4).

CONCLUSION

For all of the foregoing reasons, Applicants respectfully submit that claims 15-29 are allowable. If the Examiner has any questions or comments with respect to this reply, the Examiner is invited to contact the undersigned at (616) 949-9610.

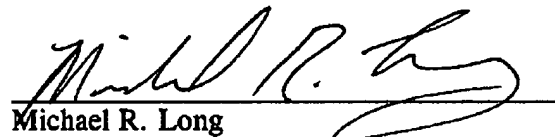
Respectfully submitted,

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